

Appendix 1: Public Exhibition Statement

In accordance with PN09-003 Classification and reclassification of public land through a Local Environmental Plan

The following information is required to be exhibited as a statement to accompany the public exhibition of the planning proposal.

- *The reasons why the draft LEP or planning proposal is being prepared including the planning merits of the proposal, e.g. the findings of a centres' strategy, council's intention to dispose of the land, provision of open space in a town centre*

Comment: Land at 59B Park Road is Council owned and is classified as community land. It was acquired by Council for the purpose of widening Park Road. However, the widening of Park Road is no longer required and the land is surplus to Council's needs. The adjoining landowners have plans to purchase the land back from Council for consolidation and redevelopment. Under the Local Government Act 1993, Council has no power to sell community land. The planning proposal is therefore prepared to reclassify the land through an amendment to the Burwood Local Environmental Plan 2012.

- *The current and proposed classification of the land*

Comment: The land is currently classified as community land. It is proposed to be reclassified to operational land.

- *The reasons for the reclassification including how this relates to council's strategic framework, council's proposed future uses of the land, proposed zones, site specific requirements, anticipated physical or operational changes resulting from the reclassification*

Comment: As mentioned above, the subject land is Council owned and is currently classified as community land. It was acquired by Council for widening Park Road, which is no longer required. The adjoining landowners would like to purchase the land back from Council for consolidation and redevelopment. Under the Local Government Act 1993, Council cannot sell community land. A reclassification to operational land is therefore required in order to facilitate the sale of the land.

The subject land and the adjoining properties are zoned R3 Medium Density Residential under the Burwood Local Environmental Plan 2012. The R3 zone permits townhouse development with Council approval. Council has received a Development Application for the demolition of the existing dwelling house and the construction of townhouses on the consolidated site at Nos. 59 and 59B Park Road.

- *Council's ownership of the land, if this applies*

Comment: Council is the current owner of the subject land.

- *The nature of Council's interest in the land*

Comment: Council owns the land in fee simple.

- *How and when the interest was first acquired*

Comment: The land was acquired by Council in 1981 for the purpose of widening Park Road.

- *The reasons Council acquired an interest in the land e.g. for the extension to an existing park, Council was given responsibility for the land by the State agency*

Comment: Council acquired the land for the widening of Park Road.

- *Any agreements over the land together with their duration, terms, controls, agreement to dispose of the land, e.g. whether any aspect of the draft LEP or planning proposal formed part of the agreement to dispose of the land any terms of any such agreement*

Comment: Council at its meeting of 25 May 2015 resolved to enter into a contract of sale for the land subject to reclassification, and grant a lease, licence or easement for a period of 12 months to allow the reclassification and sale to be finalised.

Council provided owner's consent and has received a Development Application for Nos. 59 and 59B Park Road, Burwood. The application proposes to demolish the existing dwelling house and construct several townhouses on the consolidated land.

- *An indication, as a minimum, of the magnitude of any financial gain or loss from the reclassification and the types of benefits that could arise e.g. magnitude of value added based on comparable land*

Comment: Council has resolved to accept the offer of the adjoining landowners to purchase the land for \$18,000 (including GST) subject to each party meeting its own legal costs in the matter.

- *The asset management objectives being pursued, the manner in which they will be achieved and the type of benefits the Council wants*

Comment: Council's Operational Plan contains the following goal:

Investigate opportunities to expand revenue from commercial operations, property portfolio and other income generating assets.

As mentioned before, the subject land was acquired for road widening purposes but is no longer required. It is commercially responsible to offer the land for sale. The reclassification will facilitate this and be consistent with this goal.

- *Whether there has been an agreement for the sale or lease of the land, the basic details of any such agreement and, of relevant, when Council intends to realise its asset, either immediately after the rezoning/reclassification or at a later time*

Comment: Council at its meeting of 25 May 2015 resolved to sell the land to the landowners of 59 Park Road as they have plans to consolidate land and redevelop the site for several townhouses. Council at the same meeting also resolved to grant a lease, licence or easement for a period of 12 months to allow the reclassification and sale to be finalised.

- *Relevant matters required in the plan making under the Environmental Planning and Assessment Act*

Comment: The amendment to the Burwood Local Environmental Plan 2012 to reclassify the subject land will be made in accordance with the plan making requirements of the Environmental Planning and Assessment Act 1979. The relevant matters include the proposal's consistency with section 117 Directions and other statutory requirements, such as the undertaking of the community consultation and the public hearing.

- *A copy of the practice note must be included in the exhibition material to assist the community in identifying information requirements*

Comment: The practice note will be included in the exhibition material.